

the Cost of War Toxic Exposures Fund, including a detailed justification for each type of obligation of such amounts.

(d) INSPECTOR GENERAL OF DEPARTMENT OF VETERANS AFFAIRS AUDITS AND REPORTS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter, the Inspector General of the Department of Veterans Affairs shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report examining the obligations and expenditures made using amounts from the Cost of War Toxic Exposures Fund during the period covered by the report.

(2) CONTENTS.—Each report under paragraph (1) shall include the following:

(A) A comparison of how the amounts from the Cost of War Toxic Exposures Fund are being obligated and expended to how the amounts were planned to be obligated and expended in the plan under subsection (c).

(B) Identification of waste, fraud, and abuse, if any.

(C) Such other matters as the Inspector General determines relevant.

(e) COMPTROLLER GENERAL OF THE UNITED STATES REVIEWS.—

(1) INTERIM REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives an interim report containing a review of obligations and expenditures made using covered funds.

(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

(i) A review of the process of the Department of Veterans Affairs for preparing the request for amounts from the Cost of War Toxic Exposures Fund.

(ii) An explanation of how the expenditure of such amounts met the goals of the Department.

(2) FINAL REPORT.—Not later than September 30, 2024, the Comptroller General shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a final report on the matters specified under paragraph (1).

SA 5085. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. OFFSET THROUGH TEMPORARY REDUCTION IN FOREIGN ASSISTANCE PROGRAMS.

During the 10-year period beginning on October 1, 2022, no Federal funds may be expended by the United States Agency for International Development other than funds that have been appropriated for Israel.

SA 5086. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 5051 proposed by Mr. TESTER (for himself and Mr. MORAN) to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 72, line 25, strike “gender,”.

SA 5087. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “1 day” and insert “2 days”.

SA 5088. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “3 days” and insert “4 days”.

SA 5089. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ____. EFFECTIVE DATE.

This Act shall take effect on the date that is 5 days after the date of enactment of this Act.

SA 5090. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “5” and insert “6”.

SA 5091. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “6 days” and insert “7 days”.

SA 5092. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ____. EFFECTIVE DATE.

This Act shall take effect on the date that is 8 days after the date of enactment of this Act.

SA 5093. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike “8 days” and insert “9 days”.

SA 5094. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 5051 proposed by Mr. TESTER (for himself and Mr. MORAN) to

the bill H.R. 3967, to improve health care and benefits for veterans exposed to toxic substances, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 114, strike line 3 and all that follows through page 117, line 21, and insert the following:

SEC. 804. CAMP LEJEUNE, NORTH CAROLINA, CONTAMINATED WATER EXPOSURE COMPENSATION.

(a) IN GENERAL.—An individual, including a veteran (as defined in section 101 of title 38, United States Code), who resided, worked, or was otherwise exposed (including in utero exposure) for not less than 30 days during the period beginning on August 1, 1953, and ending on December 31, 1987, to water at Camp Lejeune, North Carolina, that was supplied by, or on behalf of, the United States, or the legal representative of such an individual, may file a claim for compensation with the Attorney General to obtain appropriate relief for harm that was caused by exposure to the water at Camp Lejeune.

(b) DETERMINATION AND PAYMENT OF CLAIMS.—

(1) ESTABLISHMENT OF FILING PROCEDURES.—

(A) PROCEDURES.—The Attorney General shall establish procedures for submission of claims under subsection (a) for compensation under this section.

(B) BURDEN OF PROOF.—The burden of proof shall be on the party submitting a claim under subsection (a) to show it is more likely than not that the water at Camp Lejeune caused the claimed harm.

(2) DETERMINATION OF CLAIMS.—

(A) IN GENERAL.—(i) The Attorney General shall, in accordance with this section, determine whether each claim filed under subsection (a) meets the requirements of this section.

(ii) All reasonable doubt with regard to whether a claim meets the requirements of this section shall be resolved in favor of the claimant.

(B) CONSULTATION.—The Attorney General shall, in consultation with the Secretary of Health and Human Services, the Secretary of Defense, and the Secretary of Veterans Affairs, establish guidelines for determining what documentation is necessary to establish a basis for eligibility for compensation for an injury or condition based on exposure to water at Camp Lejeune.

(C) PAYMENT OF CLAIMS.—

(i) IN GENERAL.—The Attorney General shall pay, from amounts available in the Camp Lejeune Fund, claims filed under subsection (a) that the Attorney General determines meet the requirements of this section.

(ii) HEALTH AND DISABILITY BENEFITS RELATING TO WATER EXPOSURE.—The Attorney General may offset from any compensation awarded to an individual under this section by the amount of any disability compensation, payment, or benefit provided to the individual—

(I) under—

(aa) any program under the laws administered by the Secretary of Veterans Affairs;

(bb) the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

(cc) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(II) in connection with health care or a disability relating to exposure to the water at Camp Lejeune.

(iii) VETERANS AND LABOR OFFSETS.—The Secretary of Veterans Affairs and the Secretary of Labor may each offset from any award made to an individual under a provision of law administered by the respective

Secretary compensation awarded under this section to such individual.

(iv) **RIGHT OF SUBROGATION.**—Upon payment of compensation pursuant to a claim under subsection (a), the United States Government is subrogated for the amount of the payment to a right or claim that the individual to whom the payment was made may have against any person on account of injuries referred to in such subsection.

(v) **GUIDELINES.**—The Attorney General shall establish guidelines for determining amounts of compensation under this section for injuries or conditions, including reasonable compensation for medical expenses, lost wages, and pain and suffering.

(D) **ACTION ON CLAIMS.**—

(i) **IN GENERAL.**—(I) The Attorney General shall complete the determination on each claim filed under subsection (a) in accordance with the procedures established under paragraph (1)(A) not later than 12 months after the date on which the claim is filed under such subsection.

(II) For purposes of determining when the 12-month period ends, a claim filed under subsection (a) shall be deemed filed as of the date of its receipt by the Attorney General.

(III) In the event of the denial of a claim under this section, the claimant shall be permitted a reasonable period in which to seek administrative review of the denial by the Attorney General.

(IV) The Attorney General shall make a final determination with respect to any administrative review under subclause (III) within 90 days after the receipt of the claimant's request for such review.

(ii) **ADDITIONAL INFORMATION.**—The Attorney General may request from any claimant under this section any reasonable additional information or documentation necessary to complete the determination on the claim in accordance with the procedures established under paragraph (1)(A).

(iii) **PAYMENT WITHIN 6 WEEKS.**—The Attorney General shall ensure that a claim filed under subsection (a) that is approved under this section is paid not later than 6 weeks after the date on which such claim is approved.

(E) **PAYMENT IN FULL SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES.**—Except as otherwise authorized by law, the acceptance of payment by an individual under this section shall be in full satisfaction of all claims of or on behalf of that individual against the United States that arise out of exposure to water contamination at Camp Lejeune under subsection (a).

(F) **JUDICIAL REVIEW.**—(i) An individual whose claim for compensation under this section is denied may seek judicial review within 180 days of denial solely in a district court of the United States.

(ii) The court shall have jurisdiction to review the denial on the administrative record and shall hold unlawful and set aside the denial if it is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

(C) **ATTORNEY FEES.**—

(1) **GENERAL RULE.**—Notwithstanding any contract, the representative of an individual may not receive, for services rendered in connection with the claim of an individual under this section, more than that percentage specified in paragraph (2) of a payment made under this section on such claim.

(2) **APPLICABLE PERCENTAGE LIMITATIONS.**—The percentage referred to in paragraph (1) is—

(A) 2 percent for the filing of an initial claim; and

(B) 10 percent with respect to—

(i) any claim with respect to which a representative has made a contract for services

before the date of the enactment of this Act; or

(ii) a resubmission of a denied claim.

(3) **PENALTY.**—Any such representative who violates this section shall be fined not more than \$5,000.

(d) **EXCEPTION FOR COMBATANT ACTIVITIES.**—This section does not apply to any claim for harm arising out of the combatant activities of the Armed Forces.

(e) **PERIOD FOR FILING CLAIMS.**—A claim filed under this section may not be commenced after the date that is two years after the date that the Attorney General establishes the procedures required by subsection (b)(1)(A).

(f) **REPORT.**—

(I) **IN GENERAL.**—No later than one year after the effective date set forth in subsection (f) and not less frequently than once each year thereafter, the Attorney General shall, in consultation with the Secretary of Health and Human Services, the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor, submit to the appropriate committees of Congress a report on activities under this section.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include the following:

(A) The total number of claims filed under this section.

(B) A description of the harms claimed.

(C) The number of approved claims.

(D) The number of claims under review.

(E) The number of denied claims.

(F) The amount of each approved claim.

(G) The total amount of approved claims.

(H) An analysis and descriptions of offsets made to approved claims.

(3) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means the Committee on the Judiciary, the Committee on Armed Services, the Committee on Veterans Affairs, and the Committee on Health, Education, Labor, and Pensions of the Senate.

SEC. 805. CAMP LEJEUNE FUND.

(a) **ESTABLISHMENT.**—There is in the Treasury of the United States an account to be known as the “Camp Lejeune Fund” (in this section referred to as the “Fund”).

(b) **DEPOSITS.**—There is appropriated to the Fund, out of any money in the Treasury available for appropriation, such sums as may be necessary to pay claims that are determined by the Attorney General under subsection (b)(2)(C)(i) of section 804 to meet the requirements of such section.

(c) **USE OF FUNDS.**—Amounts in the Fund may be used to provide payment of compensation under section 804.

AUTHORITY FOR COMMITTEES TO MEET

Ms. SINEMA. Mr. President, I have one request for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Monday, June 13, 2022, at 5:30 p.m., in closed session.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Republican Leader, pursuant to the provisions of Public Law 117–81, appoints the following individual to serve as a member of the Commission on the National Defense Strategy: The Honorable Eric S. Edelman of Virginia.

ORDERS FOR TUESDAY, JUNE 14, 2022

Ms. SINEMA. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m. on Tuesday, June 14, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of Calendar No. 388, H.R. 3967; further, that all time during adjournment, recess, morning business, and leader remarks count postcloture; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Ms. SINEMA. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator PORTMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, are we in legislative session?

The PRESIDING OFFICER. The Senate is considering the PACT Act.

UKRAINE

Mr. PORTMAN. Mr. President, for the 15th straight week, while the U.S. Senate has been in session, I come to the floor to talk about what is going on in Ukraine. This is the war that Russia continues to wage against the people of Ukraine. I am going to talk about what has happened in the last week—some of it is very concerning—but also about what we can do right now to help more, to help our ally Ukraine, to help President Zelenskyy and his duly elected government, and to help the people of Ukraine.

Last week, I talked about a grim milestone, 100 days of this war. It is becoming a war of attrition. The Russians expected a quick victory, you remember. That didn't happen. Now they are grinding it out in one area called the Donbas region. And unfortunately, they are making some incremental progress there. In a minute, I will have a map here to show you where the